

1 TIFFANY CHEUNG (CA SBN 211497)
TCheung@mofo.com
2 MORRISON & FOERSTER LLP
425 Market Street
3 San Francisco, California 94105-2482
Telephone: 415.268.7000

4 JESSICA ANNE ROBERTS (CA SBN 265570)
JRoberts@mofo.com
5 MORRISON & FOERSTER LLP
12531 High Bluff Drive
6 San Diego, California 92130-2040
7 Telephone: 858.720.5100

8 Attorneys for Defendant
BANK OF AMERICA, N.A.
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10 **UNITED STATES DISTRICT COURT**
11 **SOUTHERN DISTRICT OF CALIFORNIA**

12
13 TATIANA OLMOS, individually and
on behalf of all others similarly situated,

14 Plaintiff,

15 v.

16 BANK OF AMERICA, N.A., a national
17 bank, f/k/a FIA CARD SERVICES,
N.A.,

18 Defendant.
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Case No. 3:15-cv-02786-BAS-BGSx

**BANK OF AMERICA'S NOTICE
OF MOTION AND MOTION TO
DISMISS PLAINTIFF'S FIRST
AMENDED COMPLAINT**

Date: April 18, 2016
Ctrm: 4B

**NO ORAL ARGUMENT UNLESS
REQUESTED BY THE COURT**

1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that on April 18, 2016, or as soon thereafter as this
3 matter may be heard before the Honorable Cynthia Bashant, in Courtroom 4B of
4 the above-entitled Court, located at 221 West Broadway, San Diego, CA 92101,
5 Defendant Bank of America, N.A. will and hereby does move this Court to dismiss
6 with prejudice Plaintiff's First Amended Complaint pursuant to Rule 12(b)(6).

7 The Motion is based upon this Notice of Motion and Motion, Memorandum
8 of Points and Authorities, the pleadings on file with the Court, and such arguments
9 and authorities as may be presented at or before the hearing.

10 Respectfully submitted,

11 Dated: March 2, 2016

MORRISON & FOERSTER LLP

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13 By: /s/Tiffany Cheung
14 TIFFANY CHEUNG
TCheung@mofo.com

15 Attorneys for Defendant
16 BANK OF AMERICA, N.A.
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